

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CRAIG RUDOLPH BUTLER,

Plaintiff,

v.

ORDER

COMMISSIONER OF SOCIAL SECURITY,

17-CV-04100 (PMH) (AEK)

Defendant.

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PHILIP M. HALPERN, United States District Judge:

By Order dated June 14, 2017, the Court referred this case to Magistrate Judge Lisa M. Smith¹ for a Report and Recommendation. (Doc. 8).

To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. Section 636(c), to conducting all further proceedings before the assigned Magistrate Judge.

If both parties consent to proceed before the Magistrate Judge, counsel for the defendant must, by no later than May 21, 2021, send to the Clerk of Court by e-mail to orders_and_judgments@nysd.uscourts.gov, an attached fully executed (with handwritten signatures) form AO 85 Notice, Consent, and Reference of a Civil Action to a Magistrate Judge, the blank form for which is attached to this Order (and also available at <https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge>). If the Court approves that form, all further proceedings will then be conducted before the assigned Magistrate Judge rather than before me. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit.

If either party does not consent to conducting all further proceedings before the assigned Magistrate Judge, defendant's counsel shall file a letter by no later than May 21, 2021 advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. The parties are free to withhold consent without negative consequences.

SO ORDERED:

Dated: White Plains, New York
April 21, 2021


Philip M. Halpern
United States District Judge

¹ The referral in this action was reassigned to Magistrate Judge Andrew E. Krause on October 15, 2020.